



ATTORNEY DOCKET NO: KCX-965 (14853)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|---|---------------------------------|
| In re Application of: DI LUCCIO, ET AL. |) | Examiner: K. REICHLE |
| |) | |
| Serial No: 09/990,697 |) | Group Art Unit: 3761 |
| |) | |
| Filed: NOVEMBER 16, 2001 |) | Our Client ID: 22827 |
| |) | |
| Confirmation No: 2942 |) | Our Deposit Account No: 04-1403 |
| |) | |
| For: ABSORBENT ARTICLE HAVING RELEASABLE |) | |
| MEDICINAL TREATMENTS |) | |

Terminal Disclaimer

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Present Application

Kimberly-Clark Worldwide, Inc., doing business at 401 North Lake Street, Neenah, Wisconsin 54956, is the assignee of the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 09/990,697 filed on November 16, 2001, for "Absorbent Article Having Releasable Medicinal Treatments".

1. Assignment of the inventor's rights in present patent application serial number 09/990,697 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 012323, Frame 0678.

Commonly Assigned Patent Applications

Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to U.S. patent application serial number 09/990,686 filed on November 16, 2001, by way of assignment.

Assignment of the Inventor's rights in U.S. patent application serial number 09/990,686 to Kimberly-Clark Worldwide, Inc. is evidenced by a respective assignment document which has been recorded in the U.S. Patent and Trademark Office for U.S. patent application serial number 09/990,686.

Right of Assignee to Prosecute

Kimberly-Clark Worldwide, Inc. certifies:

- (a) that the evidentiary documents have been reviewed; and
 - (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 09/990,697 is in Kimberly-Clark Worldwide, Inc.
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Provisional Terminal Disclaimer

Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present U.S. patent application serial number 09/990,697, which would extend beyond the expiration date of the full statutory term, including any applicable term extension, defined in 35 U.S.C. 154 and 156 for any patent issuing from U.S. patent application serial number 09/990,686.

Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 09/990,697 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to any U.S. patent issuing from U.S. patent application serial number 09/990,686. This agreement shall run with any patent granted upon present U.S. patent application serial number 09/990,697 and shall be binding upon Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exception to Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, any U.S. patent issuing from U.S. patent application serial number 09/990,686:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 09/990,697 prior to the expiration date of the term defined in 35 U.S.C. 154 and 156, including any term extensions, as applicable to any patent granted on U.S. patent application serial number 09/990,686.

Fee

Pursuant to 37 C.F.R. 1.321(c)(1), please charge the \$130.00 fee due in accordance with 37 C.F.R. 1.20(d) to Kimberly-Clark Worldwide Inc.'s deposit account number 11-0875. This Terminal Disclaimer is filed in duplicate.

Respectfully submitted,

KIMBERLY-CLARK WORLDWIDE, INC.


Signature

BY: Stephen E. Bondura

Title: Attorney of Record

Date: March 21, 2006



CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Applicant: DI LUCCIO ET AL.

Application No.: 09/990,697

Filed: NOVEMBER 16, 2001

For: ABSORBENT ARTICLE HAVING RELEASABLE MEDICINAL TREATMENTS

KIMBERLY-CLARK WORLDWIDE, INC., a Delaware Corporation,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university,
government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment is for U.S. patent application serial number 09/990,697 and was recorded in the Patent and Trademark Office at Reel 012323, Frame 0678, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel ____, Frame ____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel ____, Frame ____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel ____, Frame ____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

[] Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing there from.


Signature

BY: Stephen E. Bondura

Title: Attorney of Record

Date: March 21, 2006